

ORDINANCE 122288

AN ORDINANCE relating to the Seattle Center Department; adopting a fee schedule from which the Director is authorized to set fees for 2007 and 2008; adopting policies for use of Seattle Center facilities; and amending Section 17.16.015 of the Seattle Municipal Code in connection therewith.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 2007, Section 17.16.015 of the Seattle Municipal Code is amended as follows:

17.16.015 Use fees, terms and conditions.

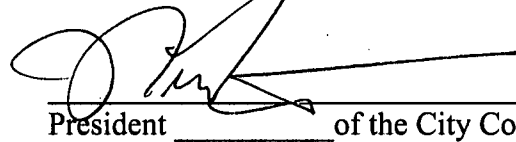
The Director of the Seattle Center Department is authorized to charge and collect fees for the use of certain Seattle Center facilities, services and equipment provided to users thereof, and to condition such use on compliance with certain general terms, conditions, rules, and guidelines promulgated by the Director, as specified in Attachment A, the "~~((2005 and 2006))~~ 2007 and 2008 Seattle Center Fee Schedule," and Attachment B, the "~~((2005 and 2006))~~ 2007 and 2008



Seattle Center Terms and Conditions for Events at Seattle Center." The ~~((2005 and 2006))~~ 2007 and 2008 Seattle Center Fee Schedule supersedes all prior fee schedules to the extent they are inconsistent.

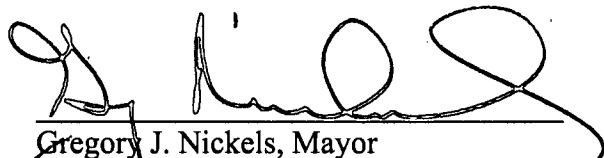
Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 20th day of November, 2006, and signed by me in open session in authentication of its passage this 20th day of November, 2006.




President _____ of the City Council

Approved by me this 22nd day of November, 2006.



Gregory J. Nickels, Mayor

Filed by me this 22nd day of November, 2006.



City Clerk

(Seal)

Attachments

Attachment A: 2007 and 2008 Seattle Center Fee Schedule

Attachment B: 2007 and 2008 Seattle Center Terms and Conditions for Events at Seattle Center



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

September 25, 2006

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

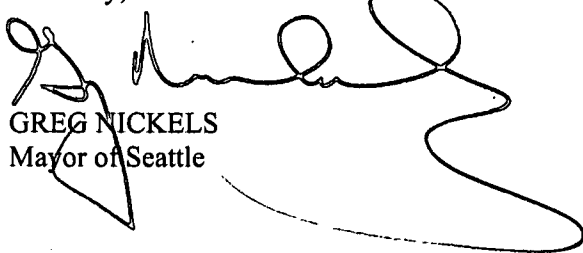
Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill that establishes a fee schedule and terms and conditions for use of certain Seattle Center facilities. Additionally, the legislation authorizes the Seattle Center Director to enter into agreements to self-promote commercial events, such as concerts, and expands the types of facilities in which the Center can co-promote events.

The attached Bill, which is submitted biannually as part of the budget process, contains few changes from the legislation that was adopted with the 2005-2006 Budget. Proposed changes include widening a number of fee and surcharge ranges for Seattle Center facilities to allow Seattle Center to respond to changes in the marketplace. The added capacity to self-promote commercial events without a co-promoting partner will allow the Center to maximize the use of its facilities and business development opportunities, thereby helping to maximize the Center's revenue generating ability. Decisions to self-promote events will be made judiciously for sound business reasons with the intent of achieving the Center's goals, increasing use of the facilities, and maximizing revenue for the City. The Director of Finance will be required to approve agreements where the City's risk for potential loss exceeds \$50,000.

This legislation is an important tool for Seattle Center to bring spectator and commercial events to the community, and to maximize revenue for the department. Thank you for your consideration of this legislation. Should you have questions, please contact Karin Butler, Event Sales Manager for Seattle Center, at 684-7153.

Sincerely,



GREG NICKELS
Mayor of Seattle

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@seattle.gov

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**((2005 and 2006)) 2007 and 2008 Seattle Center
Fee Schedule**

Effective January 1, ((2005)) 2007

Facility	Use Fee Ranges Standard/Government Agency Events		Use Fee Ranges Spectator Events			
	MINIMUM EVENT DAY FEES ^{1 & 2}		MINIMUM EVENT DAY FEE RANGES		PERCENTAGE OF NET GROSS SALES ³	
	LOWEST	HIGHEST	LOW	HIGH	LOW	HIGH
Conference Center	\$520	(((\$750)) \$850	NA	NA	NA	NA
Rooms A & H	\$220	(((\$320)) \$350	NA	NA	NA	NA
Room B	\$140	(((\$190)) \$200	NA	NA	NA	NA
Exhibition Hall	\$1,000	\$7,000	\$1,000	\$7,000	8%	15%
Fisher Pavilion	\$1,500	(((\$4,000)) \$5,000	\$1,500	\$4,000	8%	15%
Northwest Rooms	\$2,960	\$4,400	NA	NA	NA	NA
Alki	\$600	(((\$800)) \$900	NA	NA	NA	NA
Olympic	\$450	(((\$670)) \$800	NA	NA	NA	NA
Rainier	\$600	(((\$800)) \$900	NA	NA	NA	NA
San Juan Suite	\$1,000	\$1,800	NA	NA	NA	NA
Orcas ⁽⁽⁴⁾⁾	\$150	\$320	NA	NA	NA	NA
Lopez	\$375	\$610	NA	NA	NA	NA
Fidalgo	\$255	\$510	NA	NA	NA	NA
Shaw	\$265	\$520	NA	NA	NA	NA
(((\$noequalmie))	(((\$600))	(((\$800))	(((\$NA))	(((\$NA))	NA	NA
Seattle Center Pavilion	\$1,000	(((\$2,000)) \$3,500	NA	NA	NA	NA
Room A	\$800	(((\$1,500)) \$2,500	NA	NA	NA	NA
Room B	\$400	(((\$750)) \$1,500	NA	NA	NA	NA
Marion Oliver McCaw Hall Auditorium	\$5,000 ⁴	(((\$8,000)) \$8,500 ⁴	\$2,700	\$6,500	(((\$9%)) 7.5%	15%



Facility	Use Fee Ranges Standard/Government Agency Events		Use Fee Ranges Spectator Events			
KeyArena						
CONCERTS						
Upper/Lower Bowls	NA	NA	\$10,000 ⁽⁽⁵⁾⁾⁻⁴	\$25,000 ⁽⁽⁵⁾⁾⁻⁴	8%	15%
Reduced Configuration ^{((6)) 5}	NA	NA	\$5,000 ⁽⁽⁵⁾⁾⁻⁴	\$15,000 ⁽⁽⁵⁾⁾⁻⁴	8%	15%
FAMILY SHOWS/ SPORTS EVENTS						
Upper/Lower Bowls	NA	NA	\$7,500 ⁽⁽⁵⁾⁾⁻⁴	\$20,000 ⁽⁽⁵⁾⁾⁻⁴	8%	15%
Lower Bowl Only	NA	NA	\$5,000 ⁽⁽⁵⁾⁾⁻⁴	\$15,000 ⁽⁽⁵⁾⁾⁻⁴	8%	15%
OTHER SPECTATOR EVENTS						
Upper/Lower Bowls	NA	NA	\$10,000 ⁽⁽⁵⁾⁾⁻⁴	\$25,000 ⁽⁽⁵⁾⁾⁻⁴	8%	15%
Reduced Configuration ^{((6)) 5}	NA	NA	\$5,000 ⁽⁽⁵⁾⁾⁻⁴	\$15,000 ⁽⁽⁵⁾⁾⁻⁴	8%	15%
NON-SPECTATOR EVENTS						
Upper/Lower Bowls	\$10,000 ⁽⁽⁵⁾⁾⁻⁴	\$25,000 ⁽⁽⁵⁾⁾⁻⁴	NA	NA	NA	NA
Reduced Configuration ⁵	\$5,000 ⁽⁽⁵⁾⁾⁻⁴	\$15,000 ⁽⁽⁵⁾⁾⁻⁴	NA	NA	NA	NA
			Facility Surcharge Spectator Events			
KeyArena			Up to ((\$2)) \$3 per ticket for all promoters			
McCaw Hall			Up to ((\$1)) \$3 per ticket for non-profit promoters		Up to ((\$2)) \$3 per ticket for for-profit promoters	

NOTES:

- Full Day Move-In/Out:** The Director may reduce the use fee for move-in and/or move-out on the days preceding and following an Event to as low as half the price of an Event day.
- Partial day Move-In/Out:** The Director may reduce the use fee to as low as one quarter of the use fee for an Event day for move-in and move-out when only a small portion of the day is used.
- Net Gross Sales:** Net Gross Sales means the total amount of money received or receivable from the sale of admission tickets to a Spectator Event, less any applicable City Admission Tax, City B & O Tax, State Revenue Tax and Washington State Athletic Commission Tax due in connection with such Event, as substantiated by a certified box office statement.
~~((4.)) **Oreas Room:** Oreas Room may be used at no Facility Use Fee only if it is used as a catering preparation room for a plated or buffet meal function in the Rainier, Olympic, or San Juan Room.))~~
 ((5.)) **4. For 2nd day and succeeding days of ((performances)) events:** The Director may negotiate and reduce the use fee for the second and subsequent days of multi-day uses.
- 5. Reduced Configuration:** Reduced Configuration means either lower bowl by itself or "Theater" set-up. "Theater", for this purpose, means seating reduced by moving the stage further north in the KeyArena than its normal location, to a fixed location set by Seattle Center.



2007((5)) and 2008((6)) Seattle Center Terms and Conditions for Events at Seattle Center

Effective January 1, 2007((5))

1. DIRECTOR'S AUTHORITY

The Director shall prepare facility use agreements for Events and Event-related services at the Seattle Center for overall terms of not more than five years, with the approval of the Law Department and the guidance of the Risk Manager and the Director of Finance, and in accordance with all applicable City of Seattle ordinances and policies. Facility use agreements with terms in excess of two years shall be subject to review by the Director of Finance.

The Director shall promulgate rules and guidelines containing regulations and standards for the application of fees, charges, and terms and conditions of use for Seattle Center facilities that are consistent with the policies expressed herein.

2. DEFINITIONS

a. "Event" means the purpose for which a facility has been contracted, such as a meeting, show, competition, performance, festival, etc., and includes all related activities such as move-in/move-out, rehearsal, practice, and other activities of the Event. There are three types of Events:

1) "Government Agency Event" means an Event contracted by an agency of the federal government, State of Washington, any municipal corporation or other special or general purpose unit of local government in the State of Washington; or any legally constituted public governing body with multi-jurisdictional authority, one jurisdiction of which is within the State of Washington, or any quasi-governmental entity or company created solely for conducting the business of one or more of such government entities and subject solely to the rules and regulations thereof for official governmental purposes.

2) "Spectator Event" means any Event open to the public and held in the KeyArena, Exhibition Hall, Fisher Pavilion, or Marion Oliver McCaw Hall, where admission to the Event's principal activity is ticketed, except for trade or consumer shows, private meetings or conventions.

3) "Standard Event" means any Event that is not a Spectator Event or Government Agency Event.

b. "Concession Fee" means a fee charged either as a percentage of sales or at a flat rate for the right to sell merchandise and/or food and beverages at an Event.

c. "Director" means the Director of the Seattle Center Department or the Director's designee.



d. "Facility" means a room, building, or outdoor space at Seattle Center that can be rented by the public.

e. "Major Facility" means the KeyArena, , Marion Oliver McCaw Hall, Exhibition Hall, Fisher Pavilion, or Seattle Center Pavilion.

f. "Seattle Center Productions Event" means an Event for which Seattle Center is the sole or partial financial sponsor and controls some aspect of the production.

g. "Use Period" means the time specified in the agreement as the inclusive times for user's use of a specified facility on a specified day, including any portion of the immediately following day into which the inclusive time extends as established in the use agreement.

3. CLIENT USE OF FACILITIES

a. **USE FEES:** The Director is authorized to establish from time to time a schedule of facility use fees (the "Rate Card") consistent with Attachment A, "the ((2005 and 2006)) 2007 and 2008 Seattle Center Fee Schedule", and taking into account the following City policies: (i) that the Rate Card shall be administered the same to any entity that qualifies to use a Seattle Center facility; and (ii) that fees be competitive in the marketplace and be anticipated to return reasonable revenue to Seattle Center relative to operational costs. The Rate Card may set fees according to event type, size of venue, or on any other basis consistent with the above policy.

The Director may negotiate fees for intermittent use of miscellaneous facilities and portions of facilities that are not identified in Attachment A, based on the policies described above, and taking into consideration market conditions and other legitimate business concerns.

A separate use fee will be charged for each Use Period. Use fees shown on a Rate Card are minimum use fees. Where percentages of net gross sales apply above a minimum use fee, the Director may negotiate a maximum use fee. In-kind consideration such as complimentary tickets, or services such as guest appearances, may be negotiated as part of the overall consideration for use of a Facility. The Director shall promulgate a Complimentary Ticket Use Policy governing the use of complimentary tickets which shall be consistent with the City of Seattle Ethics Code.

b. **FACILITY SURCHARGES:** The Director is authorized to collect an additional use fee on Spectator Events in KeyArena and McCaw Hall based on the number of tickets sold, and to establish a schedule of per-ticket rates consistent with Attachment A. The basis for computing the Facility Surcharge may include complimentary tickets. The Director shall promulgate guidelines governing the application of the Facility Surcharge, which guidelines shall be based on sound business practice, be in the City's best interest, and be related to the goals for Seattle Center.



c. **USE FEE PAYMENTS:** The full amount of the use fee is due prior to the Event for Standard Events; an executed purchase order is required prior to the Event for Government Agency Events. For Spectator Events, a deposit is due prior to the Event with the remainder due at settlement for the Event. Money paid to the City shall be in the form of legal tender of the United States of America. Goods and services with a wholesale value that is equal to or greater than the use Fee may be accepted in partial or full payment, subject to City of Seattle purchasing rules.

The Director is authorized to determine due dates for the return of use agreements and for payments, including installment payments, that take into consideration the fiscal responsibility of Seattle Center and sound business practices including the reasonable amount of time that is needed to re-let a space if a deadline is not met; the financial history of repeat clients; the time needed to set up the space without incurring additional labor costs and the time needed for the user to return the use agreement with the initial payment.

d. **CONTINGENCY DEPOSIT:** A deposit(s) may be required to be paid prior to an Event to cover some portion of the estimated labor, parking fees, equipment charges, services, damage or other incidental charges anticipated to be incurred during the Event, or as partial security for payment-in-full of all Event-related expenses. Any portion of the deposit remaining after deductions are made to pay a user's Event expenses shall be refunded to the user. The Director may waive this deposit(s) based on a history of reliable payment by a user or lack of charges incurred during past Events of that user.

e. **CANCELLATION FEES:** The Director may assess reasonable Cancellation Fees for Events or portions of Events that are cancelled within a certain time period prior to the Event as specified in the use agreement. In determining whether to assess a Cancellation Fee, the Director shall employ sound business practices including the time characteristically needed to book a new Event in the same type of space; the user's past Event history; and the financial consequences to Seattle Center if the Event is cancelled.

f. **TRANSFER FEES:** To accommodate users' needs and maintain good business relationships, and subject to availability, Seattle Center may permit users to change contracted Event dates and/or spaces when doing so does not have a negative financial impact on Seattle Center. A transfer fee may be charged if the request is made close to the time of the Event.

g. **ORIGINATION FEES:** The Director may assess Origination Fees based on industry standards for the right to take photographs, broadcast a performance live, or make a video and/or audio recording at an Event at Seattle Center. The Director may accept the user's promotion of Seattle Center in partial or full payment of the Origination Fee provided that the value of the promotion is equal to or exceeds the value of the Origination Fee.

h. **CATERING FEES:** The Director may collect fees for catering services provided to guests at Events in facilities at Seattle Center. For Seattle Center Productions Events, the Director may include this fee as part of Seattle Center's Event sponsorship.



i. **FOOD AND BEVERAGE CONCESSIONS:** The Director may collect Concessions Fees for sales of food and beverages by users of spaces not subject to an exclusive food and beverage concession agreement, unless the Event is a food fair. The Director shall establish guidelines with a table of charges based on the number of concession stands, the expected attendance and an estimated per capita expenditure by guests at the Event. The Director may combine this charge with other charges and fees.

j. **PROGRAM AND NOVELTY CONCESSION FEES:** The Director may collect Concession Fees at any Event in a Major Facility, the Center House main floor area, or outdoor spaces at which users or their agents sell programs and novelty items. The fee shall not apply to exhibitors at an exhibit show who have contracted for booth space from the user. The Director may combine this charge with other charges and fees.

The Director may enter into concession agreements with terms of up to five years giving the concessionaire the exclusive right to sell such items at Spectator Events in specific facilities. In negotiating such agreements, the Director shall negotiate the terms favorable for Seattle Center and shall require that sales be conducted in a professional manner that accommodates the needs of both Seattle Center and the users of the concessionaire's services.

k. **REFUNDS:** The Director may refund fees to make amends to dissatisfied users for failures in service by Seattle Center or Event vendors or for such other reasons as the Director may determine are fair and reasonable.

l. **OPERATIONAL TERMS:**

1) **Services and Equipment:** Certain services and equipment will be provided by Seattle Center on the day(s) of an Event in consideration of use fees paid. These services are specified in the use agreement or listed in the applicable Facility Addenda that shall be attached to the use agreement.

Certain other services and equipment may be required or made available for an additional charge, which shall be described in addenda to the use agreement. The charges in these addenda shall be based on the Director's assessment of competitive fees in the marketplace and anticipated revenue generation for Seattle Center relative to the operational costs of buying, maintaining and replacing equipment and of supplying services.

The Director may enter into service provider agreements with terms of not more than five years, securing event-related services at rates favorable to the City and under provisions requiring the services to be performed in a professional manner that accommodates the needs of both the Seattle Center and any user who uses these services.

2) **Cleaning Between Performances:** For the safety of attendees to an Event, and to maintain Seattle Center's standards of appearance for the facility, the



Director may require users to pay for cleaning between multiple performances on the same day.

3). Hours of Use: The Director may determine the hours of the day that an Event may be open at Seattle Center.

m. SPECIAL CONDITIONS: The Director is authorized to vary from the established Rate Card only for sound business purposes and only if such variance is available to any user. The reasons for variance shall be contained in Seattle Center rules and guidelines, be in the City's best interest, and be related to the stated goals for Seattle Center, including generating revenue. The Director may negotiate terms and conditions for use that combine use fees with other charges and sources of revenue related to an Event; may waive fees or portions of fees; and negotiate terms that create benefits for Seattle Center in addition to use fees.

4. SEATTLE CENTER PRODUCTIONS EVENTS

The Director is authorized to negotiate and enter into agreements to sponsor Events at Seattle Center. These Events shall comply with the Guidelines for Seattle Center Co-Sponsored Events. The City's financial support for the Event shall be based on the relevancy of the Event to the goals contained in the Seattle Center Vision Statement and on availability of appropriate facilities. Approval by the Director of Finance is required for agreements where the City's financial support exceeds \$25,000. Application for status as a Seattle Center Productions Event is open to everyone. Seattle Center shall determine whether to sponsor the Event as a Seattle Center Production and the terms and conditions of such sponsorship.

5. EVENTS CO-PROMOTED BY SEATTLE CENTER

The Director is authorized to negotiate and enter into agreements as a co-promotion partner ((primarily)) for Events in any Facility (~~((the Major Facilities, but in exceptional cases, for use of any spaces at Seattle Center, particularly if these spaces are used in conjunction with use of a Major Facility))~~). For these Events, all sources of Event revenue and Event-related expenses may be shared with the co-promoter. Co-promotion decisions shall be made judiciously for sound business reasons with the intent of achieving Seattle Center goals, increasing use of the facilities and maximizing revenue for the City. Approval by the Director of Finance is required for agreements where the City's risk for potential loss, excluding the cost of facility rental, exceeds \$50,000.

6. EVENTS PROMOTED BY SEATTLE CENTER

The Director is authorized to enter into agreements as a promoter of Events in any Facility. For these Events, City shall retain all sources of Event revenue and shall be responsible for all Event-related expenses. Decisions to self-promote Events shall be made judiciously for sound business reasons with the intent of achieving Seattle Center goals, increasing use of the facilities and maximizing revenue for the City. Approval by the Director of Finance is required for agreements where the City's risk for potential loss exceeds \$50,000.



Form revised April 10, 2006

2007 BUDGET LEGISLATION FISCAL NOTE

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Seattle Center	Karin Butler 684-7153	Cheryl Swab 684-8053

Legislation Title:

AN ORDINANCE relating to the Seattle Center Department; adopting a fee schedule from which the Director is authorized to set fees for 2007 and 2008; adopting policies for use of Seattle Center facilities; and amending Section 17.16.015 of the Seattle Municipal Code in connection therewith.

• **Summary of the Legislation:**

The proposed legislation widens the range of day event fees that Seattle Center can charge for certain facilities, and widens the percentage range of net gross sales that Seattle Center can charge for spectator events in the McCaw Hall Auditorium. In addition, the legislation widens the range of facility surcharges that can be added to the rent promoters pay, calculated by a fee on tickets to spectator events in KeyArena and McCaw Hall. This legislation also expands the types of facilities in which Seattle Center can co-promote events, and adds the capacity for Seattle Center to self-promote commercial events, such as concerts, without a co-promoting partner. This legislation grants the Seattle Center needed flexibility in negotiating with commercial clients. Attachment A to the Ordinance reflects the changes in fee ranges proposed by the legislation. Attachment B to the Ordinance reflects the changes to the Terms and Conditions for Events at Seattle Center.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

Amending the bi-annual fees and charges, extending the Seattle Center Fee Schedule, and amending the corresponding portions of SMC 17.16.015 is a routine action that takes place during the budget process.

In general, Seattle Center's facility fees and facility surcharges fall within established ranges. The department is requesting minor adjustments to the existing ranges to allow the Center to stay competitive in the marketplace and to maximize revenue. When the Director becomes aware of market factors that would allow facility rental rates to be raised and still be competitive, a new rate schedule will be published. If the economy worsens, or if research indicates that a target client group is not being attracted, the Director may revise the rate schedule to lower fees within the adopted ranges, in order to attract and retain business. Incentive fees for limited time periods may be offered to

stimulate interest in facilities. Rates may vary by event type, but all clients will pay the same facility rate when other conditions are identical (i.e., clients use the same facility for the same type of event for the same number of days)

Likewise, if the Director becomes aware of market factors or business needs that would allow the facility surcharges calculated by a fee on tickets to be changed, new facility surcharge amounts may be established within the approved range.

The Center has not predicated its 2007-2008 revenue estimates on the existence of these new ranges for facility fee rates or facility surcharge rates. Thus, there is no incremental revenue associated with the proposed rate changes. Rather, these changes are being requested so rates can be adjusted should economic conditions allow.

In addition to the changes noted above, the proposed legislation clarifies that events co-promoted by Seattle Center may be held in any facility to allow the Center the flexibility to co-promote events that may span both major and minor facilities.

The proposed legislation also gives Seattle Center new authority to self-promote commercial events in its facilities, such as concerts, to maximize business development and revenue-generating opportunities. In McCaw Hall, for example, open dates can go unused because shows that the Center's existing promoter clients are purchasing don't match McCaw Hall's available dates, or because a potential show that the Center believes would be viable on an available date doesn't have a promoter to bring the act to the venue. Having the ability to self-promote shows by matching viable shows with available dates, outlaying funds to directly purchase the shows, marketing and selling tickets to them, pay all associated event expenses and retain all associated event revenues will enable Seattle Center's facility staff to bring more business to Seattle Center facilities, with an initial focus on McCaw Hall. While there is inherent risk in self-promoting shows, there is also higher revenue potential for Seattle Center from maximizing date use and retaining all show revenues. Specifically, the proposed legislation will allow the Director to enter into agreements as a promoter of events, whereby the City will retain all sources of revenue and shall be responsible for all event-related expenses. Decisions to self-promote events will be made judiciously for sound business reasons with the intent of achieving Seattle Center goals, increasing use of the facilities and maximizing revenue for the City. Approval by the Director of Finance is required for agreements where the City's risk for potential loss exceeds \$50,000. The Center has not predicated its 2007-2008 revenue estimates on the existence of this new ability to self-promote commercial events. Thus there is no incremental revenue associated with the proposed change. Rather, this change is being requested so Seattle Center can add this new business strategy to its operations in order maximize the ability to achieve current revenue goals.

- Please check one of the following:

☐ This legislation does not have any financial implications. (Stop here and delete the remainder of this document prior to saving and printing.)

☒ This legislation has financial implications. (Please complete all relevant sections that follow.)

Anticipated Revenue/Reimbursement: (For budget legislation that raises fees, please provide detail on each fee that is being raised, when it was last raised, how the proposed fee compares with similar fees in the region, etc.)

The ranges of fees (facility fees and facility surcharges) that are being changed by this legislation are as outlined on the Attachment A to the Ordinance.

All fee ranges were last changed in the 2005-06-budget legislation. Only certain fee ranges are being changed in this current legislation, as noted.

Within these ranges, Seattle Center sets annual fee schedules that are competitive with rates of other facilities in the marketplace and that support Seattle Center's business development and revenue generation goals.

Fund Name and Number	Department	Revenue Source	2007 Revenue	2008 Revenue
TOTAL				

Notes: *Note: This legislation does not appropriate funds. Seattle Center expects to receive fees from the existing rates and has budgeted for them. The Department is not anticipating a direct increase in revenue from the changes in the fee ranges, although it might realize an increase or decrease, depending upon market conditions. These assumptions are reflected in the Center's 2007-08 budget submittal.

- What is the financial cost of not implementing this legislation? (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented)

Without this legislation, Seattle Center will not be able to take full advantage of market conditions to maximize revenues that support the department's operations.

- What are the possible alternatives to the legislation that could achieve the same or similar objectives? *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

No real alternatives exist. Facility fees and surcharges are a major component of Seattle Center revenues. If these rates do not adjust to correspond with market conditions, Seattle Center loses opportunities to maximize revenue.

- Is the legislation subject to public hearing requirements? *(If yes, what public hearings have been held to date)* No
- Other Issues *(including long-term implications of the legislation):* None

STATE OF WASHINGTON – KING COUNTY

--SS.

205039
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

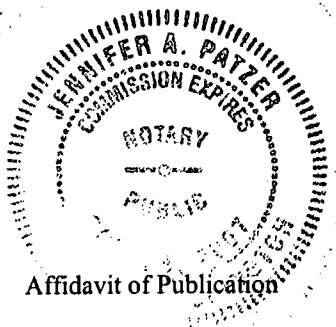
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122288 ORDINANCE

was published on

12/04/06

The amount of the fee charged for the foregoing publication is the sum of \$ 96.60, which amount has been paid in full.



Subscribed and sworn to before me on

12/04/06

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

ORDINANCE 122288

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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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17.16.015 Use fees, terms and conditions.

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Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 20th day of November, 2006, and signed by me in open session in authentication of its passage this 20th day of November, 2006.

Nick Licata

President of the City Council

Approved by me, this 22nd day of November, 2006.

Gregory J. Nickels, Mayor

Filed by me this 22nd day of November, 2006.

(Seal) Judith Pippin

City Clerk

Attachments

Attachment A: 2007 and 2008 Seattle Center Fee Schedule

Attachment B: 2007 and 2008 Seattle Center Terms and Conditions for Events at Seattle Center

See City Clerk for Attachments

Publication ordered by JUDITH PIPPIN, City Clerk

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